

Hazardous Waste and Toxics Reduction Program

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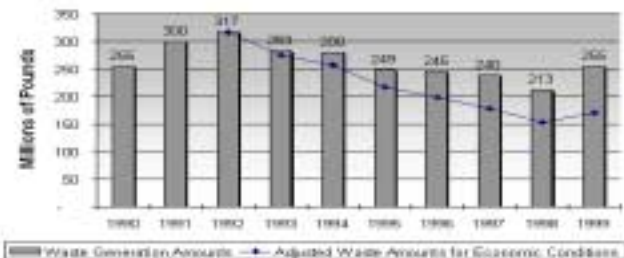
Program Mission

To foster sustainability, prevent pollution, and promote safe waste management.

Environmental Threats

There are inherent risks in the use of hazardous chemicals. When chemicals become hazardous waste, they are, by definition, harmful to the environment and/or human health. Many of these wastes are persistent in the environment, remaining toxic for a very long time, and some can build up (bio-accumulate) in the food chain. Currently, about 7,000 hazardous waste generators produce more than 255 million pounds of hazardous waste annually in Washington (1999 data).

The agency's Hazardous Waste and Toxics Reduction Program (HWTR) addresses two primary environmental threats: the long term inherent risks of using hazardous chemicals, and improper hazardous waste handling and disposal. Reducing the use of toxic chemicals is, therefore, our top priority, with a second major focus being to ensure that hazardous waste generated is managed safely.



Authorizing Laws

- *Chapter 70.105 RCW (1976), Washington's Hazardous Waste Management Act*
- *Federal Resource Conservation and Recovery Act (1980)*
- *Dangerous Waste Regulations WAC 173-303 (2000)*
- *Chapter 70.95 RCW, Hazardous Waste Reduction Act*

- *Pollution Prevention Plans WAC 173-307 (1991)*
- *Hazardous Waste Fees WAC 173-305 (1992)*
- *RCW Chapter 70.105D RCW (1989), State Hazardous Waste Cleanup (MTCA)*
- *Chapter 70.102.020 RCW, Hazardous Substance Information Act*
- *Chapter 15.54 RCW, Fertilizer Regulation Act. Clarifies the Department of Ecology's oversight authority over waste-derived fertilizers.*

Constituents and Stakeholders

- *General Public*
- *Local Governments and Other Agencies*
- *Business Groups and Associations*
- *State Agencies: Department of Agriculture; Department of Health; Washington State University*
- *Regulated Businesses and Agencies*
- *Tribes*
- *Environmental Groups*
- *Environmental Protection Agency (EPA)*

Major Activities

Reduce Hazardous Waste through Technical Assistance

Reduced use of hazardous chemicals in the manufacture and composition of products and reduced generation of hazardous wastes in manufacturing is generically called "pollution prevention." Pollution prevention, rather than just pollution control, is now recognized as a better and more efficient way to keep hazardous substances out of the environment. Avoiding waste generation, rather than treating it afterward, is one of the top priorities of the Hazardous Waste and Toxics Reduction Program. HWTR has developed innovative programs that feature planning for source reduction and waste generation reduction, supported by technical assistance field visits, and follow-up work.

The state Hazardous Waste Reduction Act (1990) encourages reducing the use and creation of hazardous substances/waste, and it requires certain businesses to prepare plans for voluntarily reducing the use and creation of these substances/wastes. Skilled HWTR staff promotes increased use of pollution prevention techniques through technical assistance to businesses, with an emphasis on providing personal (face-to-face) facility visits.

Increase Safe Waste Management through Technical Assistance

While formal compliance enforcement work is essential to protecting the environment, compliance related technical assistance visits and providing information can also bring facilities into regulatory compliance, protect the environment, and use substantially fewer resources for a given level of environmental benefit. HWTR provides guidance to businesses on how to manage their dangerous waste safely and in compliance with appropriate regulations.

Increase Compliance Assurance

HWTR annually conducts formal compliance enforcement inspections at large and medium quantity generators and at hazardous waste management facilities to ensure compliance with state and federal regulations. This is part of our Performance Partnership Agreement with the Environmental Protection Agency (EPA), which provides annual federal grant assistance.

HWTR also undertakes a certain number of formal inspections at facilities that may have compliance problems, targeting facilities whose activities have the potential to cause serious environmental problems. These inspections are in response to citizen complaints, past compliance records, and the results of sector analyses. HWTR also coordinates closely with local authorities to increase efficiency and bring more resources to bear on resolving environmental health threats. HWTR is currently working with King County to more formally coordinate investigation and resolution of environmental complaints having joint or overlapping jurisdiction.

A credible formal enforcement capability (administrative orders, civil penalties, criminal enforcement, etc.) is essential to preserving the effectiveness of HWTR's technical assistance and informal enforcement efforts. We offer technical assistance before any enforcement actions are taken, unless the problem poses an imminent threat to human health or the environment. Also, unless there is an imminent environmental/health threat, informal enforcement is normally undertaken before considering formal enforcement. Informal enforcement includes compliance letters and notices of correction for violations.

Pollution Prevention through Permitting, Closure, and Corrective Action

Facilities that treat, store, and/or dispose of dangerous wastes (TSDs) are required to obtain a permit to do so. These permits are intended to ensure that facility design, construction, maintenance, and operating procedures protect the environment. Washington currently has 15 active facilities that are either in "interim status" or have a final permit. Facilities needing to change or expand their operations need to obtain a permit modification and operating permits need to be renewed after 10 years. TSD facilities also are required to have closure plans to effectively deal with the end of their waste management activities. Environmental contamination found at any time before a facility successfully completes closure procedures may trigger cleanup "corrective action" at the site. Sites that pose the greatest hazard to human health and the environment are addressed first; HWTR is currently working on 27 high priority corrective action sites.

Improve Access to Meaningful Information and Quality Data

HWTR's automated data systems are designed to help organize program information for: planning; tracking compliance and technical assistance visits; measuring pollution prevention and compliance progress; tracking amounts of dangerous waste generated each year and its proper transport, treatment, and/or disposal; tracking toxic chemicals released and chemicals stored by Washington businesses; and tracking

information on hundreds of facilities that prepare pollution prevention plans and pay fees.

HWTR also is increasing its efforts to provide environmentally useful information to the public. We are rapidly expanding numeric and narrative information available over the Internet. HWTR has a high quality Web page that is constantly expanding in response to public and staff suggestions. Under our Community Right to Know Program, we offer assistance to citizens and local governments wanting to know about toxic chemicals in their community (more than 9,500 phone calls last year on our toll-free number).

Major Issues

Future of Waste

Many of the important issues addressed in the 1992 Washington Hazardous Waste Plan have changed in the intervening nine years. Different types of hazardous waste are now of major concern, there have been regulatory reform efforts, and there is a major emphasis on sustainability and pollution prevention. To address these changes, HWTR intends to develop a 20 to 30 year hazardous waste/toxics reduction long range plan, coupled with a 2 to 10 year strategic action initiative. The “future of waste” plan will refocus the program’s efforts toward current highest priorities, advance the goals of sustainability and zero waste, offer recommendations for using less toxic chemicals in product content and manufacturing, and for producing less hazardous waste.

Reconciling the conflicting interests of different interests and the demands of differing timeframes, trying to integrate different plan mandates, and not unintentionally foreclosing certain policy options will all be difficult challenges in this project.

Long Term Stability for the Hazardous Waste Management Industry

The hazardous waste management industry in Washington has numerous problems. There have been a number of recent high profile

environmental site contaminations involving treatment, storage, and disposal (TSDs) facilities, and the industry’s financial situation is marginal.

On one hand, recent enforcement actions against TSDs may create the perception in the industry that they should not support improving hazardous waste management facilities or should close their facilities in Washington. On the other hand, citizens and environmental groups are demanding tighter environmental standards and enforcement at TSDs.

The challenge for the agency is to maintain hazardous waste management capacity in the state while strengthening environmental protection. The agency plans to develop a legislative package that looks at strengthening environmental standards, redesigning financial assurance, and possibly developing fee mechanisms for the permitting, closure, and corrective action processes at TSDs.

Philips Georgetown Environmental and Community Issues

Burlington Environmental Inc., a subsidiary of Philip Services Corporation, operates a hazardous waste treatment and storage facility in the Georgetown area of Seattle, a low income mixed land use area in south Seattle. Georgetown has numerous citizen action groups focusing on environmental quality and social justice issues, and the Philip Facility, as well as nearby Preservative Paint and Long Painting, has become a lightning rod for local activism. There is groundwater contamination around the Philips Facility, and neither Philip nor EPA advised residents about this contamination until recently. Furthermore, the required pre-cleanup studies have taken far longer than the 1991 hazardous waste permit allowed.

A study of groundwater contamination is currently under way at Philip Services, and EPA is in the process of transferring the lead for the cleanup to the Department of Ecology. The Philip Georgetown hazardous waste management permit expired as of August 5, 2001 and the agency is reviewing an application for renewing the permit. The process to review the permit application and

to determine whether to issue a new permit may take several years. The agency will continue to face considerable challenge in balancing the interests and needs of nearby residents, local citizen groups, legislators, hazardous waste generators, and the TSD industry.

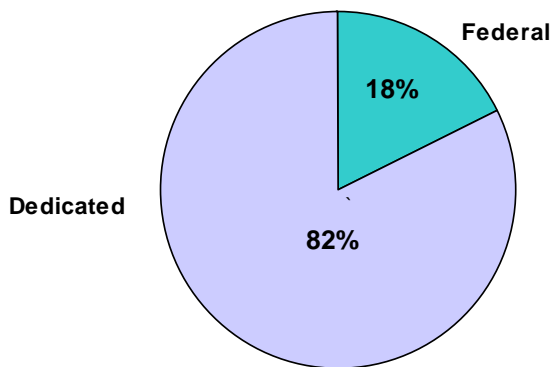
Hazardous Waste and Toxics Reduction Program Budget

Budget: \$18,933,328; Staffing: 115 FTEs

Federal	(\$ Amount)	Sources	Uses
General Fund – Federal	3,371,693	Federal Grants	Grant funds received from EPA for implementing federal Resource Conservation and Recovery Act (RCRA) and for pollution prevention
Dedicated Funds			
State Toxics Control Account	10,541,572	Hazardous-substance tax; recovered remedial actions and penalties collected	To promote pollution prevention and safe waste management, primarily through technical assistance to businesses, inspections of large quantity generators of hazardous waste and permitted treatment, storage and disposal facilities, and hazardous waste cleanups. To conduct criminal investigations and enforcement actions.
Hazardous Waste Assistance Account	3,554,893	Hazardous Waste Fees	Technical assistance to hazardous waste generators and hazardous substance users
Workers Right-to-Know	1,275,810	Labor and Industries fee on employers reporting more than 10,400 worker hours per year in designated industries	Dedicated fund used to compile information on hazardous substance use and to make this information available to citizens and other public entities
Local Toxics Control Account	189,360	Hazardous substance tax.	Quantify metals and dioxins in fertilizer, assess concentrations of dioxin in wood ash, and review and analyze waste derived fertilizers as a part of the fertilizer registration process.

HWTR

HWTR Program Dollars by Fund Source



HWTR Program Dollars by Activity

